

**The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, March 10, 2009 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Preiss, Pearson, Fillippi, Richard, Blackburn , Jasparro, Walker and Dais. Commissioner Jackson was absent from the hearing. Also present were Executive Director Thomas B. Coffey, Jr. and Administrative Assistant Desiree Campanini. The following cases were heard.**

**APPEAL #050884: Mr. Anthony Rouhana, for the property located at 120-122 Samuel Avenue, Pawtucket. ADSFM Jeffrey Johnson appeared for the Pawtucket Fire Marshal's Office. Commissioner Pearson made a motion, seconded by Commissioner Jasparro to either allow the applicant time in which to present to the Pawtucket Fire Marshal's Office a plan of action to install a domestic sprinkler system into the means of egress or allow the applicant to submit a plan of action to vacate fourth floor of this facility. The Board granted the Pawtucket Fire Marshal's Office the authority to grant more time to the applicant for good faith effort. The motion was unanimous.**

**APPEAL #060604: Mr. Robert Potter, for the property located at 1308-1310 Eddy Street, Providence. ADSFM Richard Fournier and ADSFM Richard Vespia appeared for the Providence Fire Department.**

**Commissioner Dias made a motion, seconded by Commissioner Walker to grant the applicant a time variance of 30 days to present the**

**Providence Fire Marshal's Office with a plan of action for the installation of a local fire alarm system or a plan of action for the separation of the mercantile portion of this facility from the residential portion as outlined within the provisions of the Fire Safety Code. The Board granted the applicant 30 days to submit a plan of action to the Providence Fire Marshal's Office and another 120 days to complete the approved plan of action . The motion was unanimous.**

**APPEAL #060842: Mr. John Syragakis, for the property located at 936 West Main Road, Middletown. ADSFM Thomas Karpovitz appeared for the Middletown Fire Marshal's Office. Commissioner Richard made a motion, seconded by Vice Chairman Newbrook to grant the applicant a variance on the headroom issues in the main egress of this facility, only if the handrails and slip resistance on the stairs used in means of egress is corrected to the satisfaction of the Middletown Fire Marshal's Office. The applicant advised the Board that regarding item #13, commercial cooking equipment, the kitchen is closed. The Board advised the applicant and the Middletown Fire Marshal's Office that if the applicant decides to reopen the kitchen area it must be brought into compliance. All other issues have been corrected at the direction and to the satisfaction of the Middletown Fire Marshal's Office. The motion was unanimous.**

**Middletown Public Schools:**

**File #060822: Mr. Edward Collins, for the property located at 315 Forest Street, Middletown (Forest Avenue School). ADSFM Thomas Karpovitz appeared for the Middletown Fire Marshal's Office. Commissioner Newbrook made a motion, seconded by Commissioner Pearson to grant the applicant a variance for the boiler room door in the basement, and a time variance of six months to complete the fire alarm system.**

**File #060823: Mr. Edward Collins, for the property located at 70 Reservoir Road, Middletown (Aquidneck School). ADSFM Thomas Karpovitz appeared for the Middletown Fire Marshal's Office. Commissioner Newbrook made a motion, seconded by Commissioner Pearson to grant the Applicant a variance for the classroom doors that swing into the means of egress and a time variance of 14 months to complete the fire alarm system.**

**File #080624: Mr. Edward Collins, for the property located at 740 West Main Road, Middletown (Kennedy School). ADSFM Thomas Karpovitz appeared for the Middletown Fire Marshal's Office. Vice Chairman Newbrook made a motion, seconded by Commissioner Pearson to grant the Applicant a variance to allow this building to remain open until the school year ends in 2009. At that time the facility will be shut down. If for any reason the applicant wishes to keep the school open, all deficiencies will be corrected prior to the reopening of the school.**

**This vote was taken without the consideration of the Middletown Public School's request for a district-wide variance regarding Plexi-glass and fire protection above ceilings based on a building being non-combustible. Any areas deemed combustible by the Fire Marshal's Office shall have fire protection installed by the applicant at the Fire Marshal's Direction. The motion was unanimous.**

**Mr. Edward Collins, for the properties located at:**

**060821-130 Valley Road, Middletown Middletown High School**

**060862-315 Forest Avenue, Middletown Forest Avenue School**

**060863-70 Reservoir Road, Middletown Aquidneck School**

**060824-740 West Main Road, Middletown Kennedy School**

**060825-1113 Aquidneck Ave, Middletown Gaudet Middle School**

**ADSFM Thomas Karpovitz appeared for Middletown Fire Marshal's Office. Vice Chairman Newbrook made a motion, seconded by Commissioner Richard to grant the applicant a district wide variance for the Middletown Public Schools regarding the matter of fire protection above the ceilings of non-combustible buildings and to allow the plexi-glass to be replaced, at direction of the Middletown**

**Fire Marshal's Office. The motion passed with Commissioner Blackburn and Commissioner Dias abstaining from the vote.**

**File#060212: Clark Lamboy for the property located at 548 Providence Street, Woonsocket. DSFM Arthur DaCosta appeared for the State Fire Marshal's Office.**

**Commissioner Newbrook made a motion, seconded by Commissioner Dias to grant the applicant a time variance of 30 days in which to have the plan of action for the fire alarm system approved by the State Fire Marshal's Office and another 120 days to have the fire alarm installed at the direction of the State Fire Marshal's Office. The Board also granted the applicant a variance for structural hardship on the existing stair dimensions. The Applicant advised the Board all other deficiencies have been corrected. The motion was unanimous.**

**File #060175: Mrs. Pamela Fernandes, for the property located at 19 Verndale Circle, Bristol. ADSFM Octavio Vieira appeared for the State Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Walker to grant the applicant a time variance until September 1, 2009 to have a municipally connected fire alarm system and radio box installed and operational. The motion was unanimous**

**File #060948: Mr. James Flynn, for the property located at 3 Greystone Avenue, North Providence. DSFM Cynthia Dehler appeared for the State Fire Marshal's Office and ADSFM Gregory**

**Unsworth appeared for the North Providence Fire Marshal's Office. Commissioner Pearson made a motion to grant the applicant a time variance of 120 days to have the paneling throughout this facility corrected with a flame spread rating and a time variance to come up with a plan of action for a storage room that will take up space and reduce the occupancy to under 300 people at the direction of the marshal. At this time the Board granted the Marshal the authority to grant more time if the applicant is showing a good faith effort. The motion was unanimous.**

**File #090004: Ms. Kimberly Silvestri, for the property located at 101 Dudley Street, Providence. DSFM Wade Palazini appeared for the State Fire Marshal's Office.**

**Commissioners Pearson and Newbrook made a motion, seconded by Commissioner Dias to grant the applicant a variance from the provisions of section 13.8.9.3.3.2.1 to modify the announcement for general evacuation and a variance from section 13.8.10.5.14 to be allowed to modify the sequence of operation for the elevator interlock with the building fire alarm code. The applicant was also granted a variance by the Board from section 13.8.10.5.10 to be allowed to modify the sequence of the operation for the air handling units. The motion was unanimous.**

**Respectfully submitted,  
Desiree Campanini**